



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

MAY 25 2017

Ref: EPR-SR

CERTIFIED MAIL; RETURN RECEIPT REQUESTED
And EMAIL to kcgee@unitedpark.com and krmurray@hollandhart.com

Mr. Kerry C. Gee
Vice President
United Park City Mines Company
P.O. Box 1450
Park City, Utah 84060

Mr. Kevin Murray
Holland & Hart LLP
222 South Main Street, Suite 2200
Salt Lake City, Utah 84101

Re: Richardson Flat Tailings Site, Operable Units 2 and 3, Park City, Utah
Notification of Work Takeover, Administrative Order on Consent Docket CERCLA-08-2014-0003

Dear Mr. Gee and Mr. Murray:

You are hereby notified that the U.S. Environmental Protection Agency (EPA) has determined that United Park City Mines Company (UPCM) has ceased implementation of work or is seriously or repeatedly deficient or late in its performance of work that UPCM is required to perform pursuant to the Administrative Order on Consent, docket number CERCLA-08-2014-0003 (AOC). These deficiencies include the following:

1. Submission of deficient Previous Investigations Report;
2. Submission of deficient Sampling and Analysis Plan;
3. Failure to timely obtain access;
4. Recalcitrance in sampling in the 2014 field season;
5. Submission of deficient Site Characterization Report;
6. Failure to timely amend the Site Characterization Report;
7. Failure to timely provide requested information;
8. Failure to abide by the dispute resolution process set forth in the AOC.

The AOC was agreed to by UPCM and has an effective date of March 6, 2014. More than three years later, basic site characterization work has not been completed, and UPCM is not in compliance with the AOC. In accordance with paragraph 108 of the AOC, EPA will draw upon UPCM's provided financial



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assurance, and assume performance of the Site Characterization and the Engineering Evaluation/Cost Analysis (EE/CA) for operable units 2 and 3 of the Richardson Flat Site unless within ten days of your receipt of this notice via email, UPCM remedies this situation.

In order to remedy the circumstances giving rise to this notice, UPCM must take the following actions:

1. Submit to EPA a revised Site Characterization Report including Streamlined Risk Assessment that incorporates changes and responds to comments provided to UPCM by EPA on February 24, 2017; and
2. Submit to EPA a data gap analysis, including a schedule pertaining to QAPP/SAP development and data collection activities, and identification of resources necessary to fill identified gaps.

Please feel free to contact me if you would like to discuss this matter further. I can be reached by phone at 303-312-6664. Please direct any legal questions to Amelia Piggott, who can be reached at 303-312-6410.

Sincerely,



Rob Parker, P.E.
Remedial Project Manager
Office of Ecosystems, Protection and Remediation

cc: Sandra K. Allen, State of Utah
Mo Slam, Utah DEQ
Casey Padgett, DOI
Dana Jacobsen, DOI
Matt Hogue, EPA
Amelia Piggott, EPA
Andrea Madigan, EPA

